

EXHIBIT C

BROWN REPLY DECLARATION ISO APPLE'S MOTION FOR SUMMARY JUDGMENT

Deposition of Richard Bechtel

In Re: HIGH-TECH EMPLOYEE ANTITRUST LITIGATION

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE: HIGH-TECH EMPLOYEE)
ANTITRUST LITIGATION)
) No. 11-CV-2509-LHK
THIS DOCUMENT RELATES TO:)
ALL ACTIONS.)
_____)

HIGHLY CONFIDENTIAL
VIDEO DEPOSITION OF RICHARD BECHTEL
March 7, 2013

REPORTED BY: GINA V. CARBONE, CSR NO. 8249, RPR, CCRR

Deposition of Richard Bechtel

In Re: HIGH-TECH EMPLOYEE ANTITRUST LITIGATION

01:41:49 1 because Eric Schmidt was a board -- was a board member
01:41:52 2 of Apple.

01:41:59 3 Q. Do you know for what period Mr. Schmidt was a
01:42:01 4 board member of Apple?

01:42:03 5 A. I don't recall.

01:42:05 6 Q. Do you know if once Mr. Schmidt was no longer a
01:42:08 7 board member of Apple, Google was no longer considered
01:42:12 8 off limits?

01:42:14 9 A. I -- I believe that's accurate, but I don't --
01:42:21 10 but I don't know for certainty.

01:42:24 11 Q. You don't know for sure one way or the other?

01:42:26 12 A. Yeah.

01:42:29 13 Q. Did anyone ever tell you that Apple's rule or
01:42:33 14 policy with respect to Google's being on -- considered
01:42:42 15 off limits only applied to certain categories of Google
01:42:45 16 employees?

01:42:45 17 A. No.

01:42:49 18 Q. So as far as you were aware, that rule or
01:42:52 19 policy applied to all employees of Google?

01:42:57 20 A. Yes.

01:43:02 21 Q. And you don't know for sure if there ever came
01:43:06 22 a time when Google was no longer considered off limits?

01:43:10 23 A. I don't recall.

01:43:14 24 Q. Do you know if everyone in the executive
01:43:16 25 recruiting group knew that Google was to be considered

Deposition of Richard Bechtel

In Re: HIGH-TECH EMPLOYEE ANTITRUST LITIGATION

01:43:22 1 off limits?

01:43:23 2 A. No, I don't know.

01:43:24 3 Q. And during the time when Google was considered
01:43:27 4 off limits, did you refrain from actively recruiting
01:43:32 5 leaders at Google?

01:43:43 6 A. I'm trying to recollect.

01:43:54 7 I don't recall anybody that I recruited from
01:43:56 8 Google.

01:43:59 9 Q. Ever?

01:44:00 10 A. I've -- I've hired somebody from Google
01:44:06 11 recently. She's -- she was -- she was out of Google,
01:44:13 12 though. She had left Google when we hired her.

01:44:20 13 Q. She was no longer a Google employee?

01:44:23 14 A. Correct.

01:44:27 15 Q. So that meant you didn't have to ask a question
01:44:30 16 about whether or not Google employees were off limits?

01:44:33 17 A. That's correct.

01:44:37 18 Q. Do you know what the purpose was of Pixar
01:44:42 19 employees being considered off limits for recruitment at
01:44:46 20 Apple?

01:44:47 21 A. My understanding -- and, again, I -- I don't
01:44:49 22 know if this is correct or incorrect -- is that it was
01:44:53 23 off limits because Steve was the CEO there.

01:45:00 24 Q. And by "Steve," you mean Mr. Jobs?

01:45:02 25 A. Yes.

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01:45:17 1 Q. Do you know for sure, one way or another, what
01:45:24 2 position Steve Jobs held at Pixar, what position or
01:45:31 3 positions from 2005 until the time of his passing?

01:45:41 4 A. I believe he ran the company. I think he was
01:45:44 5 CEO of Pixar up until the time that it was sold to
01:45:50 6 Disney.

01:45:51 7 Q. Do you know when that was?

01:45:52 8 A. No, I don't recall.

01:45:56 9 Q. Do you know if the sale of Pixar to Disney
01:46:01 10 changed anything with respect to whether or not Pixar
01:46:04 11 employees were consider -- considered off limits at
01:46:10 12 Apple?

01:46:11 13 A. I don't know.

01:46:12 14 Q. You don't know one way or the other?

01:46:13 15 A. Correct.

01:46:14 16 Q. Did anyone ever tell you that the rule or
01:46:18 17 policy that Pixar employees were considered off limits
01:46:24 18 only applied to certain categories of Pixar employees?

01:46:28 19 A. Nobody ever told me that.

01:46:30 20 Q. So as far as you knew, that rule or policy
01:46:33 21 applied to every employee of Pixar?

01:46:36 22 A. Nobody differentiated between class of
01:46:38 23 employees at Pixar.

01:46:42 24 Q. Do you know if there ever came a time when
01:46:45 25 Pixar was no longer considered off limits?

1 I, Gina V. Carbone, Certified Shorthand
2 Reporter licensed in the State of California, License
3 No. 8249, hereby certify that the deponent was by me
4 first duly sworn and the foregoing testimony was
5 reported by me and was thereafter transcribed with
6 computer-aided transcription; that the foregoing is a
7 full, complete, and true record of said proceedings.

8 I further certify that I am not of counsel or
9 attorney for either of any of the parties in the
10 foregoing proceeding and caption named or in any way
11 interested in the outcome of the cause in said caption.

12 The dismantling, unsealing, or unbinding of
13 the original transcript will render the reporter's
14 certificates null and void.

15 In witness whereof, I have hereunto set my
16 hand this day: March 19, 2013.

17 _____ Reading and Signing was requested.

18 _____ Reading and Signing was waived.

19 ___X___ Reading and signing was not requested.

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GINA V. CARBONE

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CSR 8249, CRR, CCRR

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